



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
45 L STREET NE
WASHINGTON D.C. 20554

News media information 202-418-0500
Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)
TTY (202) 418-2555

Report No. SCL-00438NS

Friday November 3, 2023

Non-Streamlined Submarine Cable Landing License Applications Accepted For Filing

The applications listed below have been found, upon initial review, to be acceptable for filing. Pursuant to the Submarine Cable Landing License Act, 47 U.S.C. §§ 34-39, and Executive Order No. 10530, reprinted as amended in 3 U.S.C. § 301, an applicant seeks: (a) the grant of a cable landing license; (b) the modification of a cable landing license; and/or (c) the assignment or transfer of control of an interest in a submarine cable landing license. These applications are not subject to the streamlined processing procedures set forth in section 1.767 of the Commission's rules. 47 CFR § 1.767.

Unless otherwise specified, filings relating to these applications must be received within 14 days of this notice. Ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 CFR § 1.1206.

These applications are being coordinated with the Department of State and other Executive Branch agencies pursuant to section 1.767(b) of the Commission's rules and consistent with procedures established with the Department of State. 47 CFR § 1.767(b); see Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, Report and Order, 16 FCC Rcd 22167, 22192-93, paras. 51-52 (2001) (Submarine Cable Landing License Report and Order); Commission Announces Department of State's Revised Procedures for its Consideration of Submarine Cable Landing License Applications, IB Docket No. 16-155, Public Notice, DA 22-435 (rel. Apr. 19, 2022).

Pursuant to its decision in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001), and section 1.767 of the rules, the Commission will take action upon these applications within ninety (90) days after release of this public notice, unless it determines that additional time is needed. 47 CFR § 1.767.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Submarine Cable Landing License

Telcosub USA, LLC (Telcosub USA), Telconet S.A. (Telconet), and Telconet Submarine Networks, S.A. (Telcosub) (collectively, the Applicants) filed an application for a license to land and operate a non-common carrier fiber-optic submarine cable system connecting Florida, Colombia, Panama, and Ecuador. The Applicants filed a supplement on October 30, 2023. The cable system will be known as the Carnival Submarine Networks-1 cable system (CSN-1).

CSN-1 will be a high-fiber-count system deploying space division multiplexing technology. CSN-1 will consist of a Main Trunk that includes two segments, one connecting Bonita Beach, Florida and Playa Diablillo, Panama (Florida-Panama Segment) and one connecting Costa Del Este, Panama and Anconcito, Ecuador (Panama-Ecuador Segment) with a land crossing in Panama connecting the two segments. The Main Trunk will be approximately 4,500 kilometers in length and will have between 12 and 17 fiber pairs on the Florida-Panama Segment and 8 fiber pairs on the Panama-Ecuador Segment, each having a design capacity of approximately 20 terabits per second (Tb/s) using current technology. CSN-1 will also have a branch from a branching unit on the Florida-Panama Segment that will connect to Salgar/Barranquilla, Colombia (Colombia Branch). The Colombia Branch will be approximately 525 kilometers in length and will have 4 fiber pairs, each having a design capacity of approximately 20 Tb/s using current technology.

The Florida-Panama Segment will be owned as follows: (1) Telcosub USA will own 100% of the portion of the cable in the U.S. territory, and (2) Telconet and Telcosub will each own 50% of the portion of the cable in international waters and Panama territory. The Caribbean and Pacific coast cable landing stations in Panama will be connected via two terrestrial links owned by Telcosub, one fully ducted, and one partially ducted and partially aerial. The Panama-Ecuador Segment will be owned as follows: (1) Telcosub will own 94.73% and Cable Andino S.A. Corpandino (Cable Andino) will own 5.27% of the portion of the cable in Panama territory, (2) Telconet will own 100% of the cable in international waters, and (3) Telconet will own 86.15% and Cable Andino will own 13.85% of the portion of the cable in Ecuador territory. The Colombia Branch will be owned as follows: (1) Telconet will own 33.33% and Telcosub will own 66.66% of the branching unit, (2) Telcosub will own 100% of the portion of the cable in international waters, and (3) Telconet Colombia SAS (Telconet Colombia) will own 100% of the cable in Colombia territory. The Applicants state that Cable Andino and Telconet Colombia are not required to be applicants under the Commission's rules because they will not use the U.S. endpoints of CSN-1. See 47 CFR § 1.767(h)(2).

The cable landing stations will be located in Bonita Beach, Florida; Playa Diablillo, Panama; Panama City, Panama; Anconcito, Ecuador; and Barranquilla, Colombia. All of the cable landing stations will be newly built. Telcosub USA will own and control the Bonita Beach, Florida cable landing station. Telconet and Telcosub will each own 50% of the Playa Diablillo, Panama and Costa Del Este, Panama cable landing stations with Telcosub as the controlling owner. Telconet will own 86.15% and Cable Andino will own 13.85% and control the Anconcito, Ecuador cable landing station. Lastly, Telconet Colombia will own and control the Barranquilla, Colombia cable landing station.

The Applicants propose to operate CSN-1 on a non-common-carrier basis. The Applicants state that they will not sell capacity indifferently to the user public. The Applicants and their affiliates will use capacity on CSN-1 for their own internal business purposes and offer available capacity to third parties pursuant to individually-negotiated IRUs and capacity leases, the terms of which will vary depending on the characteristics and needs of the particular capacity purchaser. The Applicants expect CSN-1 to commence commercial service on a portion of the network in early 2025, with full service during the second half of 2025.

The Applicants state that CSN-1 will compete vigorously with other submarine cable systems on the U.S.-Panama, U.S.-Ecuador, U.S.-Colombia, and broader U.S.- Latin America routes: (1) on the U.S.-Panama route, CSN-1 will compete with the ARCOS-1, Curie, Maya-1, PCCS, Pan-American Crossing (PAC), and South America Crossing (SAC) systems and the planned Caribbean Express and Aurora systems; (2) on the U.S.-Ecuador route, CSN-1 will compete with the South America-1 (SAm-1) system, the Mistral system and the Pacific Caribbean Cable System (PCCS); and (3) on the U.S.-Colombia route, CSN-1 will compete with the ARCOS-1, AMX-1, CFX-1, GlobeNet, Maya-1, PCCS, and SAm-1 systems and the planned Caribbean Express and Aurora systems.

The Applicants have the following 10% or greater direct or indirect interest holders: Teleconet, an Ecuadoran corporation, holds 100% equity and voting interests in both Telcosub USA, a Delaware limited liability company, and Telcosub, a Panama corporation. Teleconet is 100% owned by Marion Tomislav (Tommy) Topic, an Ecuadoran citizen.

The Applicants agree to accept and abide by the routine conditions specified in section 1.767(g) of the Commission's rules, 47 C.F.R. §1.767(g).

Pursuant to Commission practice, the Application is being referred to the relevant Executive Branch agencies for their views on any national security, law enforcement, foreign policy, or trade policy concerns related to the foreign ownership of the Applicants. See Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership, IB Docket 16-155, Report and Order, 35 FCC Rcd 10927 (2020).

INFORMATIVE**SCL-LIC-20221208-00037**

Seren Juno Network America, Inc.

On October 27, 2023, the National Telecommunications and Information Administration, on behalf of the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee), filed a Petition to Adopt Conditions to Authorization and License. The Committee has no objection to the Commission approving the application for the Juno cable system, provided that the Commission conditions its approval on the assurances of Seren Juno Network Co., Ltd. And Seren Juno Network America, Inc. abiding by the commitments and undertakings set forth in the October 19, 2023 National Security Agreement (NSA) by and between and between Seren Juno Network Co., Ltd. and Seren Juno Network America, Inc., and the Committee, represented by the U.S. Department of Homeland Security, the U.S. Department of Justice, and the U.S. Department of Defense.

On October 30, 2023, the Commission referred the application to the Department of State (State) pursuant to the Submarine Cable Landing License Act of 1921 and Executive Order No. 10530. 47 U.S.C. §§ 34-39, Executive Order No. 10530 (reprinted as amended in 3 U.S.C. § 301). This begins the 10-day State review process set out in the letter from the Under Secretary of State for Economic, Business, and Agricultural Affairs to the Chairwoman, Federal Communications Commission (dated Feb. 23, 2022).

INFORMATIVE**SCL-LIC-20230429-00012**

Edge Cable Holdings USA, LLC

On October 26, 2023, the Chair of the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector (Committee) notified the Commission that the Committee is conducting an initial review of the application for consent to land and operate the Anjana cable system to assess whether granting the application will pose a risk to the national security or law enforcement interests of the United States, pursuant to Executive Order 13913 (85 Fed Reg 19643 (Apr. 8, 2020)). The Committee shall complete its review of the application before the end of the 120-day initial review period, unless the Committee notifies the Commission of an extension of the 120-day initial review period or the need arises to conduct a 90-day secondary assessment.

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 CFR §§ 1.2001-.2003.

By this notice, we inform the public that submarine cable landing license applications that are part of larger transactions involving multiple Commission licenses or authorizations may involve "extraordinary circumstances" as referenced in Review of Commission Consideration of Applications under the Cable Landing License Act, Report and Order, 16 FCC Rcd 22167 (2001) and Rules and Policies on Foreign Participation in the U.S. Telecommunications Market, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891 (1997), paras. 327-28, Order on Reconsideration, 15 FCC Rcd 18158 (2000). Additionally, extraordinary circumstances result where Executive Branch agencies petition the Commission to defer action on an application pending the resolution of potential national security, law enforcement, foreign policy and trade policy issues. Accordingly, these applications may not be acted on within the 90-day review period that the Commission has established as the period of time normally required to reach a decision on non-streamlined cable landing licenses. This notice shall serve as public notice to applicants that, in these circumstances, additional time may be required for Commission review and final action. No additional formal public notice will be provided routinely with respect to specific applications in the event that the applicable review period extends beyond 90 days.